

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

v.

JACQUAN SMITH

Defendant.

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Criminal Action No. 08- 2/

INDICTMENT

REDACTED

The Grand Jury for the District of Delaware charges that:

COUNT I

On or about December 12, 2007, in the State and District of Delaware, JACQUAN SMITH, the defendant herein, did knowingly possess with the intent to distribute a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II narcotic controlled substance, in violation of Title 21 United States Code Sections 841(a)(1) and (b)(1)(C).

COUNT II

On or about December 12, 2007, in the State and District of Delaware, JACQUAN SMITH, the defendant herein, did knowingly attempt to possess with the intent to distribute marihuana, a controlled substance, in violation of Title 21 United States Code Sections 841(a)(1) and (b)(1)(D).

COUNT III

On or about December 12, 2007, in the State and District of Delaware, JACQUAN SMITH, the defendant herein, did knowingly possess a firearm, that is a .22 caliber Ruger Pistol, serial number 215-18842, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit, the offenses described in Counts I and II of this Indictment, incorporated herein by reference, in violation of Title 18, United States Code Section 924(c)(1)(A).

FORFEITURE ALLEGATION

Upon conviction of the offense alleged in Count III of this Indictment, defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to the following:
(1) a .22 caliber Ruger Pistol, serial number 215-18842; (2) one round of .22 caliber ammunition.

A True Bill

COLM F. CONNOLLY
UNITED STATES ATTORNEY

BY:



Ilana H. Eisenstein
Assistant United States Attorney

Dated: February 5, 2008